
Public Safety & Emergency Preparedness Committee

ESSB 5262

Brief Description: Allowing law enforcement and court access to driver's license photographs for the purposes of identity verification.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kline, Brandland and Shin).

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| <p style="text-align: center;">Brief Summary of Engrossed Substitute Bill</p> <ul style="list-style-type: none">• Authorizes the Department of Licensing to make their negative picture files available to law enforcement officers and judicial officers to assist in verifying the identity of a person. |
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Hearing Date: 3/24/09

Staff: Yvonne Walker (786-7841)

Background:

The Department of Licensing (DOL) maintains a negative database that contains the negatives of all pictures taken by the DOL. Examining the negative files is authorized under limited circumstances. The negatives are not available for public inspection. However, the negative files must be made available to the Secretary of State to assist in the maintenance of the state voter registration database. The DOL may also make the negative files available to government enforcement agencies to assist in the investigation of criminal activity as well as to a driver's next of kin in the event that the driver is deceased.

The negative files are generally not available to a law enforcement officer during a routine traffic stop for a violation of a traffic code. In this instance there is no means for an officer to verify a defendant's identity.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The DOL is authorized to make their negative picture files available to law enforcement officers to assist in verifying a person's identity when such law enforcement officer is authorized by law to request the identification from an individual.

The DOL may also share the negative pictures files with judicial officers to assist in verifying the identity of an individual in a court proceeding. The files may be made available only if the requesting judicial officer declares to the DOL that he or she has given prior notice to the parties that the request is being made to the DOL.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.